

The House of Commons, to be Printed,  
9 April 1845.

Under 1 oz.

## DISPUTED TERRITORY.

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H from Lord Sydenham to Lord John respecting the Provisional Occupation of the United Territory, and the consequent independence thereon.

(*Lord John Russell.*)

## DISPUTED TERRITORY.

RETURN to an ADDRESS of the Honourable The House of Commons,  
dated 8 April 1845;—for,

"A COPY of a DESPATCH from Lord Sydenham to Lord John Russell, dated  
9th day of August 1841, respecting the Provisional Occupation of the  
DISPUTED TERRITORY, and of the subsequent CORRESPONDENCE thereon."

Colonial Office, Downing-street, }  
9 April 1845.

G. W. HOPE.

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*Ordered, by The House of Commons, to be Printed, 9 April 1845.*

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— No. 1.—

(No. 104.)

COPY of a DESPATCH from Lord Sydenham to Lord John Russell.

No. 1.

Lord Sydenham to  
Lord John Russell.  
9 August 1841.

My Lord,

Kingston, 9 August 1841.

WITH reference to the correspondence which has taken place, relative to the occupation of the disputed territory by the regular troops of the United States, and of the civil possé of Maine, pending the final settlement of the boundary question, I have the honour to transmit herewith for your information, the copy of a despatch which I recently received from Mr. Fox, together with a copy of my answer.

It was of course impossible for me, consistently with the instructions which I had received from your Lordship, and with the protection which the Government is bound to afford to all Her Majesty's subjects, to consent to Mr. Webster's proposals that the British troops should be restricted to the north bank of the St. John's. It is true that, from considerations of convenience, they are now and have always been posted on that bank, but the knowledge that, in case of necessity, they would immediately cross to the south bank, affords in reality to the Madawaska settlers on that bank, as perfect a protection as if the troops were quartered among them; but this virtual protection would be at once lost were the troops debarred from crossing the river, and the attempts of the people of Maine to bring those settlers under their authority would be altogether unchecked, for it could scarcely be expected that the troops of the United States would interfere to prevent such attempts. This is so obvious that I trust the Federal Government will perceive in the reasonableness of the objection; but if not, it would be better that we should remain in their present state, unsatisfactory as it is, than that, by any concession on our part, we should strengthen the pretensions and encroachments which, in defiance of the arrangement with Sir J. Harvey, the people of Maine have persevered in making during the last three years.

I have, &c.

(signed) *Sydenham.*

2 CORRESPONDENCE RELATIVE TO THE PROVISIONAL

No. 2.  
J. Stephen, Esq.  
to Lord Leveson.  
2 Sept. 1841.

No. 104.

My Lord,  
I AM directed by Lord John Russell to transmit to you, for the information of Viscount Palmerston, the copy of a despatch from Lord Sydenham of the 9th of August, enclosing copy of a despatch which his Lordship has addressed to Mr. Fox on the 3d of August, in answer to his communication of the 27th of July, respecting the proposal which Mr. Fox has received from Mr. Webster for arranging the question pending between the two Governments, of temporary jurisdiction over the disputed territory.

— No. 2. —

J. Stephen, Esq. to Lord Leveson.

Downing-street, 2 Sept. 1841.

I have, &c.  
(signed) James Stephen.

No. 3.  
Lord Leveson to  
J. Stephen, Esq.  
2 Sept. 1841.

From Mr. Fox,  
8 Aug. 1841.  
Ditto,  
11 Aug. 1841.

To Mr. Fox,  
29 Aug. 1841.

Sir,  
I AM directed by Viscount Palmerston to transmit to you, for the information of Lord John Russell, copies of two despatches from Her Majesty's minister at Washington, enclosing copies of his correspondence with the Governor-general of Canada, relative to the present state of Mr. Fox's negotiation with the government of the United States, for regulating the provisional custody and occupation of the disputed territory; and I also enclose a copy of a despatch which Lord Palmerston has addressed to Mr. Fox thereupon.

— No. 3. —

Lord Leveson to J. Stephen, Esq.

Foreign Office, 2 Sept. 1841.

I am, &c.  
(signed) Leveson.

No. 4.  
Lord Palmerston to  
H. S. Fox, Esq.  
31 Aug. 1841.

Sir,

I HAVE to acknowledge the receipt of your despatches, Nos. 73 and 75, of the 8th and 11th instant, enclosing copies of your correspondence with Lord Sydenham, and of the papers therein referred to, relative to the present state of your negotiation with the government of the United States for regulating the provisional custody and occupation of the disputed territory.

I have to state to you, in reply thereto, that Her Majesty's Government concur in opinion with Lord Sydenham that it would not be right or safe to agree to any arrangement which should preclude Her Majesty's troops from moving, if necessary, into that part of the Valley of the St. John which lies ~~south~~ of the river; but Her Majesty's Government are of opinion that it would be highly inexpedient to consent to an arrangement by which United States troops should be permitted, with the consent of the British Government, to occupy any position in the Valley of the St. John. The agreement made between Sir John Harvey and General Scott is perfectly clear, and is as fair as it is clear; and you are instructed to adhere to that arrangement, which leaves the Americans in occupation of the Valley of the Aroostook, and the British in occupation of the Valley of the St. John. If this basis of arrangement were once agreed to, no difficulty could be experienced in defining the boundary between those two valleys sufficiently for the purpose.

— No. 4. —

Lord Palmerston to H. S. Fox, Esq.

Foreign Office, 31 August 1841.

I am, &c.  
(signed) Palmerston.

OCCUPATION OF THE DISPUTED TERRITORY.

3

— No. 5. —

Lord Stanley to Lord Sydenham.

(No. 4.)

My Lord,

Downing-street, 13 September 1841.

My predecessor communicated to Viscount Palmerston, on the 2d instant, copies of your Lordship's despatch of the 9th of August, No. 104, with the correspondence therein enclosed, relative to the negotiation which is pending with the Government of the United States, for regulating the provisional custody and occupation of the disputed territory. On the same day a copy of this correspondence was received at this office from the Foreign Office, with the addition of copies of two despatches from Mr. Fox, and of the answer which Lord Palmerston returned to those despatches on the 31st ultimo.

I transmit to your Lordship copies of these communications, of the dates mentioned in the margin; the rest of the correspondence, to which reference is made, being already in your possession.

No. 5.

Lord Stanley to  
Lord Sydenham,  
13 Sept. 1841.

Lord Palmerston  
to Mr. Fox,  
31 August.

I have, &c.

(signed) Stanley.